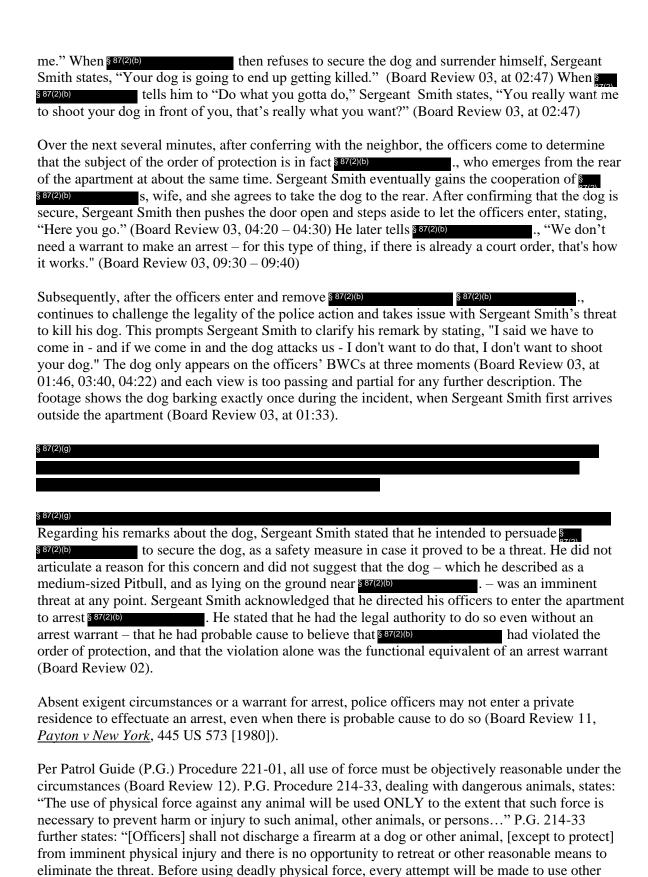
## CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force		Discourt.	U.S.
Santosh Prakash		Squad #02	201905473	Ø	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•		18 N	10. SC	DL	Precinct:
Saturday, 06/22/2019 6:45 AM		§ 87(2)(b)			8/8	3/2021	1	50
Date/Time CV Reported		CV Reported At:	How CV Reported:	<u> </u>	Date/Tim	e Rece	eived at CCI	RB
Mon, 06/24/2019 8:52 AM		CCRB	Phone		Mon, 06/	24/201	9 8:52 AM	I
Complainant/Victim	Type	Home Addre	ess					
Witness(es)		Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. An officer			050 PCT					
2. SGT Michael Smith	02136	946270	050 PCT					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. POM Stephen Dietrich	09740	960461	050 PCT					
2. POF Jessica Caruccicook	08902	964427	050 PCT					
3. POM Daniel Deloatch	27631	928177	050 PCT					
4. POM Christophe Knitter	03676	952941	050 PCT					
5. POM Brian Wolvers	28598	946399	050 PCT					
Officer(s)	Allegatio	on			Inv	estiga	tor Recon	nmendation
A.SGT Michael Smith	Abuse: S	ergeant Michael Smith						
B.SGT Michael Smith	Abusa: S	s, dog with the usergeant Michael Smith						
B.SGT Wichael Shifti	Abuse. S	, with the use of						
C.SGT Michael Smith	Abuse: Sergeant Michael Smith entered \$87(2)(b) , in the Bronx.							
D.SGT Michael Smith	Abuse: Sergeant Michael Smith threatened to arrest \$\frac{\$87(2)}{(a)}\$							
E. An officer	Abuse: A	An officer threatened to a	arrest <sup>§ 87(2)(b)</sup>					

## **Case Summary**

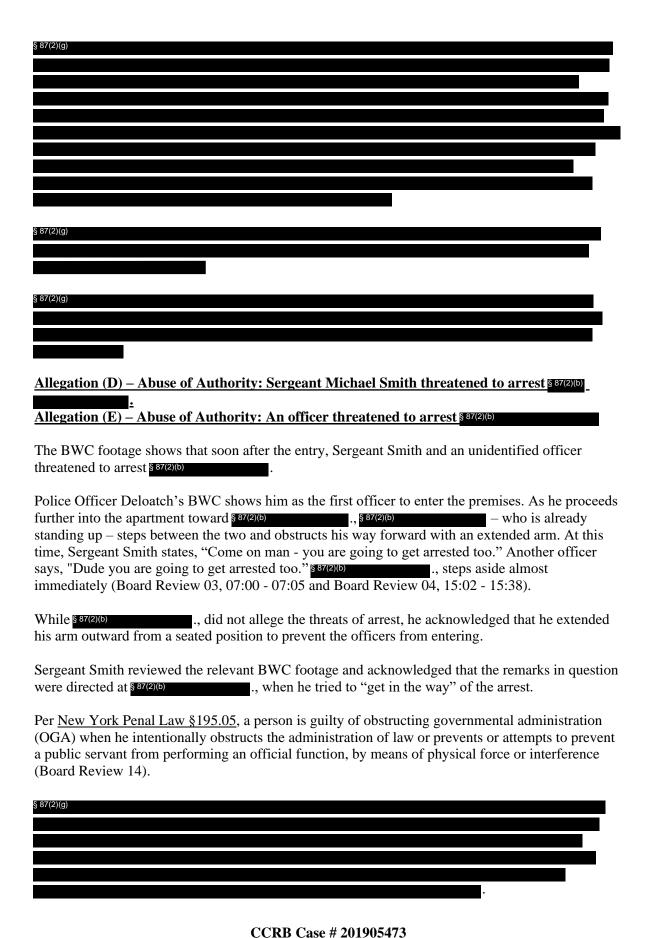
filed the following complaint on June 24, 2019. On June 22, 2019, at approximately 6:45 AM, officers responded to §87(2)(b) residence located at § 87(2)(b) , in the Bronx. With his dog nearby ., opened his door to find Sergeant Michael Smith (of the 47<sup>th</sup> Precinct) in the hallway with several other officers. Sergeant Smith proceeded to advise \$87(2)(b) he had violated the terms of an order of protection that barred him from communicating with his upstairs neighbor. § 87(2)(b) denied doing so and refused to comply when Sergeant Smith asked him to secure his dog and step outside. In response, Sergeant Smith stated, "Your dog is going to end up getting killed - you really want me to shoot your dog in front of you?" (Allegation A: Abuse of Authority – Threat of Force, §87(2)(9) Sergeant Smith also allegedly threatened to shoot § 87(2)(b) (Allegation B: Abuse of Authority – Threat of Force, § 87(2)(g) Further investigation revealed that it was § 87(2)(b) s adult son, ., who had violated the order of protection. Upon confirming that I, was present inside the apartment, Sergeant Smith directed his officers to enter the premises to arrest him (Allegation C: Abuse of Authority – Premises Entered, \$37(2)(9) When § 87(2)(b) attempted to prevent the officers from doing so, Sergeant Smith and another officer threatened to arrest him (Allegations D, E: Abuse of Authority - Threat of was ultimately taken into custody without further incident (Board Review 10). No one else was arrested or summonsed. Body-worn camera (BWC) footage of the incident was obtained from the cameras of Sergeant Smith, Police Officer Christopher Knitter, Police Officer Stephen Dietrich, Police Officer Michael Smith, and Police Officer Jessica Caruccicook (Board Review 03 - 08). **Findings and Recommendations** Allegation (A) – Abuse of Authority: Sergeant Michael Smith threatened (327/2)(5) 's dog with the use of force. Allegation (B) – Abuse of Authority: Sergeant Michael Smith threatened 887(2)(b) ., with the use of force. Allegation (C) – Abuse of Authority: Sergeant Michael Smith entered \$37(2)(5) , in the Bronx. L, was interviewed on June 28, 2019 (Board Review 01). Sergeant Smith was interviewed on September 19, 2019 (Board Review 02). §87(2)(9) On June 22, 2019, at approximately 6:45 AM, Sergeant Smith and approximately five other officers responded to § 87(2)(b) s, apartment after his upstairs neighbor called 911 to report that had violated the order of protection that he had against him. Because the officers initially believed that the violator was §87(2)(b) Sergeant Smith first engaged him through the open door, advised him of the neighbor's complaint, and stated that he had to take him into custody. As Sergeant Smith's BWC footage shows (Board Review 03, beginning at 02:00), denies the violation and tells the officers to "go and get a warrant if you want

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reasonable means to contain threats from dangerous animals," (Board Review 13)



## **Civilian and Officer CCRB Histories**

• § 87(2)(b) a victim o	., has been a party of four allegations: § 87(2)(b)	to one prior CCRB complaint in whi	ch he was named as
•		service for 12 years and has been a s which was not substantiated. §87(2)(9)	ubject in one other
	Mediation,	Civil and Criminal Histories	
Notice of	oruary 13, 2020, the New Yor Claim being filed in regard to	ate this complaint. k City Office of the Comptroller has o this complaint (Board Review 16).	no record of a
● [§ 87(2)(b)] [§§ 8	86(1)(3)&(4)] [§ 87(2)(c)]		
Squad No.: 2			
Investigator:			
	Signature	Print Title & Name	Date
Squad Leader	·· ··		
	Signature	Print Title & Name	Date